

U.S. Patent Application Serial No.: 09/649,594
Amendment Under 37 C.F.R. §1.111 dated August 16, 2004
Response to the Office Action of May 14, 2004

REMARKS

Claim 1 – 8 remain pending in the present application. The objections and rejections set forth in the Office Action are respectfully traversed below.

Rejections Under 35 U.S.C. §102

Claims 1 – 8 were rejected under 35 U.S.C. §102 over **Beyers et al.** (USP 5,943,467). However, it is submitted that nothing in the cited prior art teaches or suggests all the features recited in the present claimed invention.

For instance, **Beyers** does not teach or suggest the present claimed searcher that searches for an unused channel from a plurality of channels and the claimed “first setter” that sets a frequency of the unused channel to the modulator. The Office Action does not even address these features regarding the handling of the unused channel (when it was previously recited as the “having-no-station” channel).

According to the present invention, a tuner inputs a plurality of channels of radio frequency television signals and outputs a base-band television signal of a designated channel. The base-band television signal outputted from the tuner is modulated by a modulator, and the radio frequency television signal modulated by the modulator is output to a video displaying apparatus with tuner by an outputter. A searcher searches for an unused channel from among the plurality of channels, and a first setter sets a frequency of the unused channel detected by the searcher to the modulator. A used channel included in the plurality of channels is preset to the tuner by a presetter after completing a frequency setting operation by the first setter.

U.S. Patent Application Serial No.: 09/649,594
Amendment Under 37 C.F.R. §1.111 dated August 16, 2004
Response to the Office Action of May 14, 2004

Searching for the unused channel by the searcher and setting of the frequency of the detected unused channel by the first setter make it possible to avoid the trouble of setting a modulation frequency to the modulator. Furthermore, if a channel presetting is not needed, it is possible to earlier finalize an initial setting operation by omitting a search for used channels to be preset.

It is clear that **Beyers** does not search for nor sets any frequency *for an unused channel*. For instance, the AUTOPROGRAM function described at column 4, lines 16 – 25 of **Beyers** searches for *active* channels, but *skips over inactive* channels. There is no teaching to specifically search for and set particular inactive channels to the modulator. In addition, there is no disclosure for presetting the used stations *after* the present claimed preliminary searching and setting of the unused channel(s).

Furthermore, although **Beyers** recognizes the use of channels 3 or 4 (*e.g.*, for external inputs such as from the output of a tape recording unit in the playback mode), there is no disclosure in **Beyers** for setting the frequency of either channel 3 or 4 to the modulator. Basically, **Beyers** teaches no more than the conventional art described in the background of the invention section of the present specification. For at least these reasons, the present claimed invention patentably distinguishes over the prior art.

It is submitted that the dependent claims recite further features not taught or suggested in the prior art. Nevertheless, the dependent claims distinguish over the prior art for at least the reasons that independent claim 1 distinguishes over the prior art, as discussed above.

U.S. Patent Application Serial No.: 09/649,594
Amendment Under 37 C.F.R. §1.111 dated August 16, 2004
Response to the Office Action of May 14, 2004

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



John P. Kong
Attorney for Applicant
Registration No. 40,054

JPK:kal
1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100
Enclosures: Change of Correspondence Address - Application
Q:\2000\001090\Filings\1.111 Amendment - June 2004.doc